

The Leesburg Planning Commission met on Thursday, August 4, 2005 in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Susan Swift, Christopher Murphy, Tom Mason, and Linda DeFranco

### **CALL TO ORDER**

The meeting was called to order at 7:00pm by Chairman Wright

### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Present: Chairman Wright  
Commissioner Bangert  
Commissioner Barnes  
Commissioner Hoovler  
Commissioner Kalriess  
Mayor Umstattd

Commissioner Burk was absent

Chairman Wright referenced the appointment of Brett Burk to the Commission and stated that he was currently out of town, but stated that he will be at the September 1, 2005 meeting.

### **ADOPTION OF AGENDA**

Commissioner Bangert moved to adopt the agenda with the following change: Adding discussion of the Town Plan under new business.

Motion: Bangert  
Second: Hoovler  
Carried: 5-0

### **APPROVAL OF MINUTES**

Commissioner Kalriess moved to adopt the minutes of the June 23, 2005 meeting as presented.

Motion: Kalriess  
Second: Hoovler  
Carried: 5-0

Commissioner Hoovler moved to adopt the minutes of the July 7, 2005 meeting with a correction on Page 3 to reflect that Commissioner Wright made a motion on TLSE2004-0030, not Commissioner Hoovler.

Motion: Hoovler  
Second: Kalriess  
Carried: 4-0-1

Commissioner Bangert abstained from this vote since she was not in attendance at that meeting.

Commissioner Kalriess moved to adopt the minutes of the July 21, 2005 meeting as presented.

Motion: Kalriess  
Second: Hoovler  
Carried: 4-0-1

Commissioner Bangert abstained from this vote since she was not in attendance at that meeting.

### **CHAIRMAN'S STATEMENT**

Chairman Wright reviewed tonight's agenda and informed the public that they would have five minutes to speak during the public hearing portion.

### **PETITIONERS**

Hub Turner, 1107 Bradfield Drive, SW came forward to inquire about the status of minutes prior to the year 2000. He asked if there was any plan to reconstruct these minutes. He feels that these are important and would like to see them put up on the website.

### **PUBLIC HEARING**

Randy Minchew, representative for the applicant came forward to introduce Sally Gillette of Walsh Collucci who presented the Meadowbrook application. Ms. Gillette described the plans for the 323 acre area, including the 1,006 unit residential community, the mixed use center consisting of 134,000 s.f. of office space and 200,000 s.f. of retail space, and the 87.5 acres of open space dedicated for parkland and a school site. She went on to point out that single family units were increased from the previous plan by 8%. The density of the residential area is 3.7. In the previous plan it was 4.9 d/u per acre, which included some residential in the mixed use center.

Mr. Minchew then pointed out changes from the previously filed plan and what is proposed in the new plan. Basically the 100 two over twos in the mixed use center were eliminated. There will be a 5.5 acre park. The set back from Route 15 will be at 100 feet rather than 40 feet, and this will include a 50 foot landscape buffer. The townhouses and the two over twos will be in the interior portion of the development. The larger park has been increased from 16 acres to 21 acres, and the greenspace was increased by

approximately 4 acres. Mr. Minchew went on to describe the layout of the trail system that will connect the parks. Ms. Gillette went on to describe the concept plan pointing out that it will incorporate neotraditional neighborhoods, expand the elementary school campus, a southwest sector park, community recreation center including a competition sized pool, and a road network that provides connections and additional road capacity.

Mr. Minchew pointed out the history of the property in this application highlighting the 1986 and 1997 town plans and the densities of the existing surrounding properties. Citing the proposed 2005 town plan, he pointed out that the FAR's in the application are well below what the old town plans set out and within the guidelines of the new, proposed town plan.

At this time, Mr. Minchew introduced Bill Caldwell of RTKL who addressed the neotraditional architectural style. He described the proposed uses in the mixed use center emphasizing that residents would be able to walk to the center and have a variety of services available to them such as a grocery, retail and restaurants. The office component will also assist in providing the businesses with a necessary base to open during business hours. Slides were presented that depicted what the neotraditional style will look like. They envision the restaurant area overlooking some of the open space, natural areas.

Mr. Minchew recapped some of the anticipated architecture stating that it will agree with the design guidelines and that they will go through voluntary BAR review. Ms. Gillette said they have agreed to have the drawings be part of the design guidelines. She went on to describe regional road improvements and proffers. Mainly they will proffer improvements to the Rt. 15 South corridor, Battlefield Parkway and Evergreen Mill Road. Currently funding is not available from VDOT for any of these improvements. There was a roadway capacity comparison which pointed out that the impact of this development will increase daily trips, but not to the extent originally thought.

Some of the proffers include between \$26 and \$28 million in transportation improvements, storm water management valued at around \$240,000, design features implemented from the town master plan, a 21-acre town park, \$300,000 cash contribution for athletic field at Ida Lee, bike trails, a gateway park, an off-site playground for Evergreen Meadows and a \$50,000 cash contribution for landscaping in the South King Street median.

Mr. Minchew compared the R-1 versus the PRC zoning and the benefits of the PRC zoning. Basically in the transportation portion, R-1 would cost the town a significant amount of money, under PRC the cost would be borne by the developer. Land would be dedicated for additional school site under PRC. Some affordable housing units would be provided under PRC. He went on to describe the benefits in the areas of Parks and Recreation, storm water management and the gateway corridor. Finally, Mr. Minchew concluded the presentation by saying that this application implements over twenty years of planning history, conforms with the 1997 Town Plan, provides a density compatible with the surrounding area, and provides mixed uses, open space, road improvements and traditional design.

Christopher Murphy, Sr. Planner, then gave the staff report. Mr. Murphy focused on the major points of the application. Staff recommends denial of TLZM-2004-0001 based on reasons contained in the staff report. Basically the application is non compliant with the Town Plan, the Zoning Ordinance and the fact that the proffers are unclear and do not assure mitigation of impacts. The requested density of 3.7 is higher than what the town plan sets out. The plan calls for a base density of 2 du/a when all public facilities required by the Subdivision and Land Development Regulations are provided. If all the ordinances are met, the property could be permitted up to 3 du/a. Density beyond this would only be granted if proffers and other performance guarantees exceed the ordinance requirements.

Mr. Murphy went on to address the vagueness of the proffers citing the phasing plan, off-site acquisition proffers, timing of recreational proffers and potential difficulty in administering proffers due to inconsistent use of terms, definitions and undefined terms.

Chairman Wright opened the public hearing at this point.

Charles King, 414 Lacey Court, came forward and thanked the staff for their analysis on this application. He asked the Commission to adopt the recommendation of the staff and deny this application. Density of 2 du/a based on all other site plan improvements met is not what this application sets out. There is more retail than originally requested. There are many technical omissions and there are deficiencies. He feels that this is late in the game for this. Centex is trying to fit too much density on this property. He has concern over the school site and stated that the size is well under the minimum that the County requires. There should be a site for a separate school, not a site to create a super school. He asked the commission to recommend denial tonight. Leaving this open for ten days allows the process to be drawn out too long.

Ann Bollinger of 406 Salyor Way, and representing KSLB came forward to give the opinion of KSLB. They believe that this application is non-compliant with the 1997 Town Plan. They are concerned with the phasing of transportation, open space, water quality and highway noise. After three submissions and much feedback from the Planning Commission and citizen's groups, the application still contains conflicts with the 1997 Town Plan. The number of residential units has decreased, but only as a result of less developable land. The request to have a density of 3.7 du/a is not in compliance with applicable Ordinances. The traffic impacts cannot be overcome with the improvements to existing roads and building of new roads. The proffering of 12.5 acres for a school site falls short of what the County School Board requires. 1006 homes will generate potentially 2,000 students – well over the capacity of what the proffered site in the area will provide. It is the opinion of KSLB that the taxes collected for this development will not cover the cost to the town to service it, and that not enough attention has been paid to the preservation of open space, wetlands and other environmentally important areas. KSLB is asking for denial of this application.

John Tett, 503 Wolfe Court came forward to address the proposed school situation in this area. The applicant proposes to build a K-2 school near the already existing schools in the area. This school is projected to be a 1600 student school. This represents a drastic change in how the children would go to school and no one has approached any citizens for their input on this proposal. This proposal would put four schools in close proximity. How will this affect traffic in the area? All buses will be traveling on the same road, along with the many parents, not to mention residents in the area. The schools are already at capacity, and the road already too congested. Another issue is that in the past a school site required 20 acres, suddenly 12 acres forth is proposal meets standard. He also went on to say that the numbers provided by the applicant, what the school board projects, and what he statistically calculated came out with several different outcomes. Mr. Tett then asked if the Commission would like to see their children attend a 1600 person elementary school.

Ann Bollinger went on to describe projected assessments and fiscal impacts of the application along with the requirements that KSLB feel are not being met. The citizens request denial of this application.

John Drury of 621 Beauregard Drive recapped the application process of this application, reciting the various reports and points of input from staff and citizens. His question is, why, after three submissions and all of the input, has the applicant not learned, nor listened. Traffic, density and environment, along with school and taxes are big issues in this application. He stated that he didn't feel that the applicant took the time to listen to citizen input, staff comments and the proposed new Town Plan. He requested denial of this application.

Hub Turner of 1107 Bradfield Drive, SW, came forward and said that he agreed with all of the preceding comments. He commended Chris Murphy on his report and stance. He asked that careful consideration be given and that the application be denied.

Ann Jones of 1232 Bradfield Drive, SW expressed anger over the non-progression of the application over the past year. She felt that they did not listen to citizen input, town plan input, nor staff recommendations.

Mike Koenig, 502 Binns Court, stated that he had seen no change in the application submitted for this application and asked staff to deny it.

Randy Michew, representative for the applicant, came forward to state that they are still seeking modifications. He felt that they met requirements on the Rt. 15 setback. He said they dropped the density by approximately 300 units and felt that they met that request. With regard to the elementary school, they are following the lead of school officials who said what was submitted could work.

Sally Gillette came forward to state that this is an attempt at a very different product. The planned development represents a product that doesn't always follow all of the current zoning ordinance guidelines. She pointed out that there can be holdouts by property

owners that could throw a roadblock into some of the roadway rights of way. She said that they would be willing to do a cash proffer for the property for the school and pointed out that the proffer value of this application is upwards of \$45 million. They are asking for 756 houses over the by right use and are offering over \$60,000 per house toward cost impact.

The public hearing was closed at 8:46pm.

Commissioner Kalriess questioned the comment by staff regarding the natural drainageway that was taken out, but the applicant said it remained. Bruce Douglas of staff said there is a small drainageway that goes to the wetlands. This has been treated differently in each application. While this does not have a perennial flow, it is a desired waterway. Mr. Kalriess asked about the floodplain and the proposed buildings near that area. Mr. Douglas said this, on occasion, does have an inundation of water, so it is vital that drainageways remain in tact and care must be taken to do little encroachment on the site. Mr. Kalriess went on to ask the applicant about the ingress/egress of the commercial center. Staff and VDOT had concerns about the design. What kind of vehicle traffic are you expecting? Carol Franks said they are projecting 16,800 cars per day. Mr. Kalriess had concerns about the design, massing, and traffic in this commercial center, stating that they might fit in Arlington, or Alexandria, but is not sure if they fit here. He would like to see a Leesburg vernacular, rather than a Virginia vernacular. He also had some concerns about above grade ponds and what their location would be, or would they be below ground vaults. Mr. Minchew said the wetlands are planned as an amenity, using what methods they can to improve their appearance somewhat.

Mr. Kalriess then asked Mr. Minchew about Mr. Boucher's report on the proffers. Mr. Minchew said some are substantive and they will either agree or disagree on these. Some are wordsmithing problems. He feels that they can work through many of the differences. Mr. Kalriess asked about the Phase I road improvements and whether they will be completed vs. being under construction after the issuance of the 251<sup>st</sup> occupancy permits. Mr. Kalriess said the recreational facilities need to be taken care of prior to completion of all the housing. Next he addressed density – if the modifications are granted for smaller lot sizes, then a higher open space percentage should have been achieved. What happened to this open space? Where is the justification for the density bonus? Sally Gillette said they are 6-7 acres over the open space requirement. The regional road contribution has been exceeded, however, if more open space is desired, they can cut back on the road contribution. Mr. Kalriess responded that he would like to see a matrix that shows some of these justifications and comparisons. Verbally there have been some comparisons made, but no matrix. Mr. Minchew said there was a matrix, and he would be happy to provide it to him. Mr. Kalriess then asked about parking modifications with relation to street parking. Sally Gillette said they had a parking study done. They have over 1700 street parking spaces, along with driveway and garage parking. Mr. Kalriess questioned the commercial area parking requirements. Ms. Gillette responded citing the requirements listed in the zoning ordinance. Commissioner Kalriess concluded that the school issue needed to be clarified and the transportation issues resolved.

Commissioner Wright said there was a request for a vote tonight, however Randy Greehan, counsel for the Town, recommended against that. The Commission will honor that opinion.

Commissioner Hoovler also has concerns about the school issues and the transportation impacts. He asked about the school traffic flow and the loading and unloading of the students. Sally Gillette explained that there could be some access from Meadowbrook, so not all of it would be on Evergreen Mill Rd. Mr. Hoovler went on to comment on the ADUs and the 8 homes to be turned over to Habitat for Humanity. How did they come up with 8 homes as a number. Sally Gillette said this was worked out with the President of Centex and the Habitat Group. Mr. Minchew said there were four set aside for each of the residential areas. Mr. Hoovler said that Bud Green, President of the local Habitat group, was in attendance and he asked Mr. Green to come forward.

Bud Green of Habitat said that he is not aware of these 8 homes being proffered. It is a handup not a handout group. They build and sell, using sweat equity and partnership to make homes available. Mr. Hoovler said he had not heard of a donation of homes and managing an ownership transfer. Mr. Hoovler referenced the County's calculations used in such a home presentation and came up with a much higher number, so obviously there was no formula used to determine this. Susan Swift replied that the County has an ordinance that applies. The calculation is based on the different kinds of units in a development. Mr. Minchew said this is based on a cost neutrality and bonus density. Mr. Hoovler said they need to address affordable housing, and would like to see language in the proffer to see how this would be administered. Mr. Hoovler then asked Mr. Greehan, about the right of way acquisition and eminent domain. Would the recent decision by the Supreme Court affect this with regard to economic development. Mr. Greehan said basically it should be for public gain, not for private gain. This instance pertains to the proffer language and the requirements not being met currently. Mr. Minchew said there is law in Loudoun County, Lunn vs. Loudoun County, 1982 with regard to Cascades/Rt 7 interchange. Basically the property owner did not want to sell the land, but the courts ended up overruling it. There was a question on Battlefield Parkway. Sally Gillette said they will meet with staff to try to clear up the proffer language. Mr. Greehan commented that there is a nine month timeframe, if land is not acquired then the proffer would be impacted. If it gets tied up in litigation, then the timeframe would be useless. Mr. Hoovler reiterated this last point and asked Ms. Gillette if she understood the concern. Sally Gillette said there was not an intentional timeframe put into the proffers. This is not set out anywhere, but staff may have taken other information and arrived at this conclusion. Mr. Hoovler asked if they were proposing to build Battlefield Parkway in the year 2006? Ms. Gillette said this was ambitious since they have not yet gone through the zoning process, so this will probably be pushed back by two and half years or more. Mr. Minchew added that they need to start construction plan preparation the day after the zoning is approved and then the VDOT process begins. Mr. Hoovler said this needed to be done as quickly as possible and not after the two hundred fiftieth home has been put in. The detail for the phasing has not been made clear in the application, and this is a vital piece of information.

Mr. Hoovler went on to ask about the stormwater pond that will help Harrison Street flooding. How is this going to happen? Sally Gillette said the retention and release of waterflow will allow for managing the flow. Tom Mason, Director of Engineering and public works for the town, came forward to explain the flow of Tuscarora Creek and Town Branch. This pond will slow the flow once channel improvements and other regional ponds are in place. Roy Waugh and engineer with Bowman Construction, concurred with Mr. Mason's comments and said the key is that this particular pond was specifically designed to reduce the runoff to existing flow, but further reduces the rates to one third of what those runoff rates are. Mr. Hoovler said he lives near the retention pond by Morven Park, and said there are costs involved with maintenance of this pond. If this is going to be a part of the amenity, then it needs maintenance. Mr. Waugh said the location was recommended by the town's consultant. He agreed that measure need to be taken to prevent algae, etc. Mr. Hoovler asked how this would be maintained. Through a homeowners association, or who? The town? What kinds of costs? Mr. Mason said they prefer a dry pond since it requires less maintenance. The town does not maintain wet ponds, but it does maintain the outflow portions to assure proper flow.

With regard to the multi use center, Mr. Hoovler asked how many drive through banks there would be and if they require special exception permits. Ms. Gillette said that they were being reviewed and revised and would be resubmitted. Mr. Hoovler asked if there was anything else – Ms. Gillette commented that there was a drive through pharmacy and a gas station also that would require special exceptions.

Susan Swift commented that the proffer regarding Battlefield Parkway does not specifically say that it will be open during Phase I, just that the plans will be in, and also addresses the fact that rights of way may not ever be obtained therefore nullifying building portions of the parkway.

Mayor Umstattd thanked Mr. Murphy for his presentation, and the citizens for their presentation. She also complimented Mr. Minchew and Ms. Gillette for their efforts in representing the applicant. She commented that is always was worrisome when an application made a proffer dependent on a certain number of units being completed first. The Mayor asked if they would be obligated to build a road as shown on the town plan if this was built by right. Mr. Mason said the Subdivision and Land Development regulations say an applicant must construct roads on the frontage of the development and any roads shown in the town plan. There certainly is room for negotiation and discussion to come to the final product.

Commissioner Bangert asked what the distinction was between an HOA and a POA. Mr. Minchew said one is a homeowners association and one a property owners association, both registered with the state. A property owners association would most likely be in effect in a mixed use area. Ms. Bangert asked about the responsibilities of the POA and said they include refuse removal and stormwater management maintenance. Mr. Minchew responded that regional ponds cover a wider area than just the area they are located in. Since this is taking water from other areas, their thought was that it would be



a town function to maintain it. Ms. Bangert then asked about the dock being planned in the area, will this be an amenity? Sally Gillette responded that yes, that was the plan. Ms. Bangert then asked if they expected the town to maintain the dock also? Ms. Gillette responded yes. Ms. Bangert asked about bubblers or some way to move the water to prevent the buildup of algae. There is none planned at this time. Ms. Bangert said perhaps this is not something that the town wants to take up at this time, and asked that care be taken not to set the town up for unwanted expenses.

Next Commissioner Bangert questioned the transportation numbers, what was shown on the slide did not seem to add up. She has concern that the information presented was not representative of what might actually occur. She does not feel that she can vote without accurate numbers. Mr. Minchew said he understood that their study had been accepted by the town. Sally Gillette came forward with a letter from Whitman Requardt and Associates, the town's traffic consultant dated May 13, 2005 that states they were satisfied that the comments met the requirements for the area. Ms. Bangert wanted to know if the assumption that Rt. 15 will be four lanes was used as part of this study. Cheryl Franks came forward to say that yes, Rt. 15 needs to be four laned. She went on to explain the bar graph and pointed out the different scenarios. Chairman Wright asked what the total amount of traffic generated by the three phases would be. Ms. Bangert went on to say that the way that proffers are written is becoming more difficult to deal with. There is too much loose interpretation available. The language needs to say what is meant.

Commissioner Barnes asked Mr. Murphy is this was left R-1, what would we get from the applicant as far as roads are concerned. Mr. Murphy again referred to the Subdivision and Land Development Ordinance saying that the frontage roads and town plan indicated roads should result. Even though it is written that way, it doesn't always end up that way. Mr. Barnes asked Mr. Minchew what was meant by Phase Zero, Mr. Minchew responded that Phase zero meant prior to the construction of any building. Phase one would be up to 250 homes. By the time these homes are built will Battlefield be ready? Mr. Minchew said that the proffers say it will be open, possibly not yet dedicated, but open. Mr. Barnes said he would like to see the major roads built first, prior to any homes being built. He also asked that proffers be simplified so that they are understandable. Lastly, he addressed the 12.5 acres for a school site and whether this was enough space, even though the school board agreed to this. He asked if there were twenty acres they could dedicate in another part of the development. Mr. Minchew said they really did not have twenty acres in another area of the property. Ms. Gillette said she didn't understand, the school would still generate the same number of students, bus trips, etc. Mr. Barnes responded, at least they would not all be in the same spot.

Chairman Wright asked staff about the trail and sidewalk rights of way. What are the differences between inside rights of way or outside. Mr. Murphy responded that trails were separate from sidewalks, with trails being outside the rights of way and the sidewalks being inside. Mr. Mason said many trails are on HOA property while sidewalks are on public property. He said they could go either way with the trails, and 8-10 foot trail on one side and sidewalk on the other. Mr. Wright asked if this was a

housekeeping or maintenance issue. Mr. Mason responded it was more a housekeeping issue.

Mr. Wright asked about the affordable housing criteria. Do we know what the Virginia criteria is? Susan Swift said it was based on income level. Mr. Hoovler said that Habitat has their own criteria which is very different from state and county criteria. Mr. Wright asked about the proposed divided roadway in front of the mixed use center, and staff has recommended a typical roadway. Susan Swift explained that a divided highway would require a town plan amendment. Mr. Wright asked about modifications to the minimum lot size, one staff comment asked how many more lots this would generate, how far over the cap would this be? Did the lot sizes actually shrink in this submission. Ms. Gillette said the sizes did not shrink, but right now they are unsure of the number and types of lots that would eventually be part of the final product. Commissioner Kalriess asked that the applicant stipulate what they want, don't ask the Commission to approve an open ended application. Mr. Wright said you don't know the final number of units, yet your proffers state that parks will be put in after the 1,006<sup>th</sup> unit is built. One flag raised is what if you only build 1,004 units? On paper that means you don't have to build the park infrastructure. Mr. Wright went on to ask about the types of design of the houses in particular areas. Ms. Gillette said they have not yet determined what exactly will go where, but they have determined several design types.

In conclusion, Mr. Wright, said he hoped not to have too many open issues, but that was not the case. His first issue is transportation, the impacts have not been addressed. He said that South King Street will definitely be impacted. The proffers were outlined in a 23 page comment sheet. There needs to be a way to fix this so that they are not always reviewing proffer language. What is promised and what actually occurs are miles apart and only the legal documents will rule. We cannot go on what's being verbally said. Also, the fact that parkland will not be built until the 1006<sup>th</sup> house, is worrisome. Lastly, there are many small "ankle biter issues" and they need to be resolved. At this point the comments should be about density, and substantive things, not haggling about whether trails are in or out of the right of way. The Commission asked for the best and final, but this submission doesn't seem to contain that. The volume of small issues is too large. At this time Mr. Wright concluded the public hearing and said the vote for the application will occur on September 1<sup>st</sup>.

At this point there was a brief break.

### **SUBDIVISION AND LAND DEVELOPMENT**

None

### **COMPREHENSIVE PLANNING**

None

**COUNCIL AND REPRESENTATIVE'S REPORT**

Mayor Umstattd attended a meeting regarding state funding for local and regional transportation and reported that the picture looked bleak.

Commissioner Hoovler attended the Economic Development Commission meeting, there was no quorum but they discussed the Town Plan issues.

Chairman Wright attended the Residential Traffic Committee who continued to work on traffic calming in SW Leesburg. The Committee along with the subcommittee are inviting comments from interested citizens in the area.

Commissioner Kalriess reported that the JLMA subcommittee met this morning with further meetings scheduled during the next few weeks. They would like to see a longer referral time for any development applications in the UGA, extending referral time to at least 60-days. They will be meeting with staff regarding all of the UGA, JLMA items that are of issue to the town. They hope to have the County adopt the Town Plan, they have questions regarding AADPs, what their posture should be, and how they can approach this. Chairman Wright announced that there will be a meeting on August 11 and August 18 at 8:00am. Mr. Elgin of the County Planning Commission has agreed to meet jointly with the subcommittees. Susan Swift said the meeting on August 18 will include Mr. Wells, Shoemaker and Ms. Whiting and will be in the first floor conference room.

Susan Swift said that copies of the AADPs had been provided for the commissioners' at their places tonight, along with the matrix of cases currently under review.

**OLD BUSINESS**

Chairman Wright said they would like to begin discussion on improving the development process and asked that Commissioners prepare their concerns in advance.

**NEW BUSINESS**

Chairman Wright said he, along with other members of the Commission were in attendance at a worksession on the Town Plan and will attend the upcoming meeting on Monday. He felt that the commission should pass along any concerns and reasons why they came to certain decisions.

Commissioner Bangert reiterated that it was imperative for everyone to know why and how they came to decisions. She wanted them to know that they did take comments into consideration and Council needs to know how they arrived at some of the decisions. Under residential land use, if there is a range attached to it, the lowest number of the range should prevail unless every single issue was addressed.

Mayor Umstattd said this was not in the written draft provided to Council.

Commissioner Kalriess said that the notes indicated that yes, this was what the Commission decided unanimously. Ms. Bangert said if there were comments made, how should they address these now.

Chairman Wright said if there are specific items that need clarification, then discuss them now so that they could be presented to Council. Commissioner Kalriess asked if they were going to go page by page, Mr. Wright responded that each person should just bring up any issue whose detail may be in question right now.

Commissioner Barnes asked if they could change anything since the public hearing is already closed.

Commissioner Bangert said this would be for informational purposes only. Mayor Umstattd said no formal action can be taken, but they can discuss issues.

Commissioner Bangert had questions regarding costs and implementation for town paying for independent fiscal analysis. Possibly the guidelines need to be changed so that there is a consistent outcome of the analyses. She said that she also knows there is concern about any residential area being a part of regional office development. In most parts of the country, the mix of use is prevalent. Care should be taken with the densities that might be allowed and that the goal is majority office. Mayor Umstattd said she felt that it was important to include these numbers. Ms. Bangert went on to reference the Edwards Landing parcel that is scheduled for retail but would be better suited for office. The Commission felt that there was already too much retail in the area and that the office would be a better mix for the citizens of the area. The light industrial use on Cochran Mill should remain that way, even though a citizen would like to add residential in there. There really is no other place for light industrial and she didn't feel that the quarry or other industries in the area will close soon for redevelopment. Mayor Umstattd said there will be a series of straw votes on the various items. These will be put in the plan for final vote. Comments will need to be brief. If any Commissioner feels strongly on something, speak with your council representative in advance and apprise them of your thoughts.

Commissioner Hoovler addressed the school slated for the O'Connor tract. He would like to see the character of Rt. 15 preserved and feels they did not consider the impact the school traffic would have on the aesthetics of the corridor. He feels that there is still time to soften the impact on the corridor. Mayor Umstattd said they merely agreed to provide water and sewer to the site, other items are still under consideration. Mr. Hoovler asked what the forum for the debate was. Nothing has come forward yet regarding our desires, and he feels this needs to be discussed. Commissioner Bangert said they also need to address the remaining piece of land and what will be put in there. Chairman Wright said in the Town Plan it is zoned rural residential which is low density. Mr. Hoovler asked how this would be impacted with the high school right there.

Commissioner Kalriess addressed heritage resources and the concerns about putting additional properties into the historic district. It was evident that this was not a popular

move on the part of citizens or developers. Chairman Wright said expanding the H-1 can be tricky because it mostly affects residential property. The current plan calls for exploration of this expansion, not a wholesale yes. Mr. Kalriess said this is difficult and there is resistance and suggested that the concept used in the industrial area at the gateway to town be considered, where existing uses would be grandfathered and other uses carefully considered. He agreed that a matrix for fiscal analysis should be part of the major application so it can be evaluated more efficiently. With regard to the parcel on Edwards Ferry Road, commercial office provides a better transition for the area than retail. With regard to the Leesburg South parcel, what type of density revisions will there be. Some density will build road improvements, in good economic times it will be funded, in bad times, not likely. Consider this when thinking about alternative revisions. Keep a vehicle in place for road improvements. Another thing to keep in mind is the size of the retail space. If we limit it to 10%, then we are limiting vertical integration. We need to make sure that we allow uses that will serve the surrounding offices and not limit this to something that does not serve the needs. We need to find the right balance. Lastly, on a diamond versus cloverleaf, he feels strongly that the Battlefield/Route 15N interchange should not be a cloverleaf. This would create a high speed shortcut onto Battlefield Parkway. If a cloverleaf handles 30K cars, what does an urban diamond handle. We need to know the capacities and carefully design this intersection.

Chairman Wright then moved on to election of officers of the Planning Commission. The vacancies are Vice Chairman, Parliamentarian and Commission Liaisons. It is imperative that Vice Chair be done immediately.

Commissioner Bangert moved to nominate Ted Kalriess as Vice Chairman. There were no additional nominations and Commissioner Kalriess accepted the nomination.

Moved:       Bangert  
Second:      Hoovler  
Carried:      5-0

Commissioner Bangert moved to nominate Earl Hoovler as Parliamentarian. The motion was seconded by Commissioner Barnes. Commissioner Hoovler nominated Bridget Bangert as Parliamentarian. This motion was seconded by Commissioner Kalriess. Commissioner Bangert declined the nomination. Commissioner Hoovler accepted.

Moved:       Bangert  
Second:      Barnes  
Carried:      5-0

Chairman Wright suggested that the commission liaison appointments be deferred until the next meeting. Commissioner Bangert requested a listing of Commission meetings and which ones have current liaison vacancies.

**ADJOURNMENT**

The motion was made to adjourn at 11:28pm

**Prepared by:**

**Approved by:**

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**Linda DeFranco, Commission Clerk**

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**Kevin Wright, Chairman**